

**BROOME COUNTY LEGISLATURE  
REGULAR SESSION  
JULY 21, 2016**

The Legislature convened at 5:03 p.m. with a call to order by the Chairman, Daniel J. Reynolds. The Clerk, Aaron M. Martin, read the fire exit announcement and called the Attendance Roll, Present-14, Absent-1 (Whalen).

The Chairman, Mr. Reynolds led the members of the Legislature in the Pledge of Allegiance to the Flag. The Clerk, Aaron M. Martin offered the invocation followed by a moment of silence.

**ANNOUNCEMENTS FROM THE CHAIR**

Mr. Sopchak and Mrs. Kaminsky were designated with Chairman Reynolds in the "Short Roll Call".

Mr. Flagg presented a Certificate of Achievement to Margaret "Pokey" Crocker for her dedication to the community and on her retirement from the Discovery Center.

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY EXECUTIVE**

- A. Letters from the County Executive, Debra A. Preston:
1. Appointments to Family Violence Prevention Council
  2. Appointments to Youth Bureau Advisory Board

**WRITTEN OR ORAL PRESENTATIONS OF THE COUNTY LEGISLATURE**

- A. Letters from the Chair, Daniel J. Reynolds:
1. Designations for Mr. Baldwin, Mr. Keibel, Mr. Wildoner – Week of July 11, 2016
  2. Designation for Mr. Baldwin – July 13, 2016

Mr. Shaw made a motion, seconded by Mrs. Kaminsky that the Session minutes of June 16, 2016, be approved as prepared and presented by the Clerk.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

Mr. Reynolds noted that the committee minutes for June 16, 2016 through July 20, 2016 had been distributed to the members of each committee for review and that they are also on file in the Clerk's Office. Mr. Reynolds asked for corrections to the committee minutes. Seeing none, a motion to approve the committee minutes was made by Mrs. O'Brien seconded by Mr. Baldwin.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**PRESENTATION OF PETITIONS, COMMUNICATIONS, NOTICES & REPORTS**

1. BC Soil & Water – Directors' Meeting Minutes – May 17, 2016 & June 21, 2016
2. Sheriff – 2015 Annual Report
3. Mental Health – 2015 Annual Report
4. SUNY Broome – May 2016 Above Minimum Hire Report
5. SUNY Broome – May 2016 Budget Transfers Report
6. Town of Dickinson – Town's Garbage District
7. Czerenda Court Reporting – 2016-2017 SUNY Broome Budget Public Hearing Transcript
8. NYS DOT – Notice of Open House re: Route 17 Bridge Project in Windsor & Sanford – July 20, 2016 at 5:00 PM
9. Legislature Clerk – Notice of Committee of the Whole re: BC Transit Survey – July 21, 2016 at 4:00 PM
10. STOP-DWI – Acceptance of Additional NYS STOP-DWI Crackdown Funding
11. NYS Taxation & Finance – Certified 2016 Equalization Rates

**RESOLUTIONS INTRODUCED AT THIS SESSION**

**RESOLUTION NO. 237**

By Economic Development, Education & Culture and Finance Committees  
Seconded by Mr. Baker

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE TOWN OF COLESVILLE FOR FUNDING FROM THE MARKETING AND ECONOMIC DEVELOPMENT ALLOCATION OF THE OCCUPANCY TAX FOR 2016**

WHEREAS, the Commissioner of Planning & Economic Development requests authorization for an agreement with the Town of Colesville for funding in the amount not to exceed \$10,000 from the Marketing and Economic Development allocation of the occupancy tax for the period June 1, 2016 through December 31, 2016, and

WHEREAS, said funding will be used to support tourism and attract more visitors to local attractions in the Town of Colesville, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Town of Colesville, P.O. Box 421, Harpursville, New York 13787, for funding from the Marketing and Economic Development allocation of the occupancy tax for the period June 1, 2016 through December 31, 2016, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$10,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 90000099.6005026 (Marketing & Economic Development), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 238**

By Health & Human Services, Economic Development, Education & Culture and Finance Committees  
Seconded by Mr. Baker

**RESOLUTION AUTHORIZING AN AGREEMENT WITH SUNY BROOME COMMUNITY COLLEGE FOR FUNDING FROM THE VETERANS SERVICES AGENCY FOR 2016-2017**

WHEREAS, the Director of the Veterans Services Agency requests authorization for an agreement with SUNY Broome Community College to allocate funding in the amount of \$15,000 for the period September 1, 2016 through August 30, 2017, and

WHEREAS, said funding will be used to support 'The Big Read Initiative' which requires a 1:1 match and will serve a large audience including regional Veteran populations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with SUNY Broome Community College, 901 Upper Front Street, Binghamton, New York 13905 for funding from the Veterans Services Agency for the period September 1, 2016 through August 30, 2017, and be it

FURTHER RESOLVED, that in consideration of said agreement, the County shall pay the Contractor an amount not to exceed \$15,000 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 36000006.6004146 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 239**

By Economic Development, Education & Culture and Finance Committees  
Seconded by Mr. Baker

**RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT ADULT PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2015-2017**

WHEREAS, this County Legislature, by Resolution 262 of 2015, authorized and approved renewal of the Workforce Innovation and Opportunity Act Adult Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$488,750 for the period July 1, 2015 through June 30, 2017, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information, and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$40,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Adult Program Grant to reflect an increase of \$40,000 for the period July 1, 2015 through June 30, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$528,750, and be it

FURTHER RESOLVED, that Resolution 262 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 240**

By Economic Development, Education & Culture and Finance Committees  
Seconded by Mr. Baker

**RESOLUTION AUTHORIZING REVISION OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT DISLOCATED WORKER PROGRAM GRANT FOR THE OFFICE OF EMPLOYMENT AND TRAINING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2015-2017**

WHEREAS, this County Legislature, by Resolution 265 of 2015, authorized and approved renewal of the Workforce Innovation and Opportunity Act Dislocated Worker Program Grant for the Office of Employment and Training and adopted a program budget in the amount of \$546,131 for the period July 1, 2015 through June 30, 2017, and

WHEREAS, said program grant provides customers with education, training and employment services by providing job search assistance, labor market information, and occupational and on the job training, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$40,000 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Workforce Innovation and Opportunity Act Dislocated Worker Program Grant to reflect a decrease of \$40,000 for the period July 1, 2015 through June 30, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$506,131, and be it

FURTHER RESOLVED, that Resolution 265 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 241**

By Finance Committee

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE WHITNEY POINT SCHOOL DISTRICT FOR THE COLLECTION AND ENFORCEMENT OF SCHOOL DISTRICT TAXES**

WHEREAS, the school district taxes for the Whitney Point School District are currently collected by the Tax Collector for the school district, and

WHEREAS, a study performed by Broome County and the Whitney Point School District indicate that there are savings and economies to be gained by having the tax collection performed by Broome County Real Property Tax Service, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Whitney Point School District for the Broome County Real Property Tax Service to perform those functions necessary to collect school district taxes within the Whitney Point School District, and be it

FURTHER RESOLVED, that in addition to an administrative fee, the school district is responsible for any fees associated with the collection of school district taxes, and be it

FURTHER RESOLVED, that this agreement shall renew automatically unless the parties agree to terminate the agreement, and be it,

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 17000001.5000441 (Tax Collection Fees), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 242**

By Finance Committee

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DEPOSIT SCHOOL DISTRICT FOR THE COLLECTION AND ENFORCEMENT OF SCHOOL DISTRICT TAXES**

WHEREAS, the school district taxes for the Deposit School District are currently collected by the Tax Collector for the school district, and

WHEREAS, a study performed by Broome County and the Deposit School District indicate that there are savings and economies to be gained by having the tax collection performed by Broome County Real Property Tax Service, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Deposit School District for the Broome County Real Property Tax Service to perform those functions necessary to collect school district taxes within the Deposit School District, and be it

FURTHER RESOLVED, that in addition to an administrative fee, the school district is responsible for any fees associated with the collection of school district taxes, and be it

FURTHER RESOLVED, that this agreement shall renew automatically unless the parties agree to terminate the agreement, and be it,

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 17000001.5000441 (Tax Collection Fees), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 243**

By Finance Committee

Seconded by Mr. Baker

#### **RESOLUTION APPROVING SALE OF IN-REM FORECLOSURE PROPERTIES TO FORMER OWNERS**

WHEREAS, the County of Broome now owns certain parcels of real property by virtue of the completion of proceedings and foreclosure in-rem for year 2014, and

WHEREAS, this County Legislature has heretofore authorized the Director of Real Property Tax Service to sell such properties in conformity with procedures established by this Legislature and in accordance with all applicable laws, and

WHEREAS, the Director of Real Property Tax Service advises that the former owners of certain properties have requested to have the properties sold back to them, and the Director recommends that such requests be granted based on the unusual circumstances of each such case as reviewed and approved, now, therefore, be it

RESOLVED, that the sell back to former owners of the parcels listed on Exhibit "A" for the amounts as stated is hereby approved by this County Legislature based on the unusual circumstances of each such case, as well as the undue hardship to the former owners that the failure to approve such sales would cause, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the former owners in each such case, together with other such documents as may be necessary to implement the intent of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 244**

By County Administration and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH ARAMARK SERVICES, INC. FOR FOOD SERVICE MANAGEMENT SERVICES FOR 2016-2020**

WHEREAS, this County Legislature, by Resolution 479 of 2015, authorized an agreement with Aramark Services Inc., 2300 Warrenville Road, Downers Grove, Illinois 60515 for food service management for 2016-2020, and

WHEREAS, it is necessary to amend such agreement to a) authorize payment for the replacement of an exhaust hood; b) authorize the sale of vehicles; and c) amend the meal cost schedule, now therefore, be it

RESOLVED, that the County will pay Aramark a total not to exceed \$141,500 for costs incurred for the replacement of a hood at Willow Point Nursing Home, and be it,

FURTHER RESOLVED, that the payment herein above authorized shall be made from budget line 15020101.6002102.1520065.5202, and be it

FURTHER RESOLVED, that the County is hereby authorized to sell the following vehicles for the listed prices

- a) 2009 Ford 450 for \$15,250,
- b) 2013 Ford E-350 for \$19,690,
- c) 2013 Ford E-350 for \$19,690,

and be it,

FURTHER RESOLVED, the revenue herein above authorized shall be credited to budget lines 34010006.5000175.3410569.1011 (c-2 Home Delivered Meals – Sale of Property) for the 2009 Ford 450; and 02010001.5000175.2060 (Central Foods & Nutrition – Sale of Property) for the two 2013 Ford E-350, and be it

FURTHER RESOLVED, that in consideration of services, the County shall pay Aramark Services Inc., at the revised rates set forth in Exhibit A for the Period January 1, 2016 through December 31, 2020, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 245**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING REVISION OF THE INTEGRATED SOCIAL DAY CARE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A REVISED PROGRAM BUDGET FOR 2016**

WHEREAS, this County Legislature, by Resolution 438 of 2015, authorized and approved renewal of the Integrated Social Day Care Program Grant for the Office for Aging and adopted a program budget in the amount of \$18,500 for the period January 1, 2016 through December 31, 2016, and

WHEREAS, said program grant provides funding to integrate mentally-challenged seniors into the Social Adult Day Care program for the Office for Aging, and

WHEREAS, it is necessary at this time to revise said program to reflect an increase in the amount of \$19,305 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Integrated Social Day Care Program Grant to reflect an increase of \$19,305 for the period January 1, 2016 through December 31, 2016, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$37,805, and be it

FURTHER RESOLVED, that Resolution 438 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 246**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

**RESOLUTION AUTHORIZING ACCEPTANCE OF THE CAREGIVER SUPPORT INITIATIVE PROGRAM GRANT FOR THE OFFICE FOR AGING AND ADOPTING A PROGRAM BUDGET FOR 2016**

WHEREAS, the Director of the Office for Aging requests authorization to accept a Caregiver Support Initiative Program Grant for the Office for Aging and adopt a program budget in the amount of \$26,640 for the period July 1, 2016 through December 31, 2016, and

WHEREAS, said program grant supports reimbursement for respite services to caregivers, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$26,640 from the Alzheimer's Association, 441 W. Kirkpatrick Street, Syracuse, New York 13204 for the Office for Aging's Caregiver Support Initiative Program Grant for the period July 1, 2016 through December 31, 2016, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$26,640, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 247**

By Health & Human Services, Personnel and Finance Committees

Seconded by Mr. Baker

**RESOLUTION AUTHORIZING REVISION OF THE YOUTH TOBACCO ENFORCEMENT AND PREVENTION PROGRAM GRANT FOR THE DEPARTMENT OF HEALTH AND ADOPTING A REVISED PROGRAM BUDGET FOR 2016-2017**

WHEREAS, this County Legislature, by Resolution 87 of 2016, authorized and approved renewal of the Youth Tobacco Enforcement and Prevention Program Grant for the Department of Health and adopted a program budget in the amount of \$62,065 for the period April 1, 2016 through March 31, 2017, and

WHEREAS, said program grant supports the Department of Health's activities in youth tobacco use enforcement and prevention and enforcement of the Clean Indoor Act, and

WHEREAS, it is necessary at this time to revise said program to reflect a decrease in the amount of \$1,571 in grant appropriations, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a revision of the Youth Tobacco Enforcement and Prevention Program Grant to reflect a decrease of \$1,571 for the period April 1, 2016 through March 31, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the revised program budget annexed hereto as Exhibit "A" in the total amount of \$60,494, and be it

FURTHER RESOLVED, that Resolution 87 of 2016, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute any such agreements, documents or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 248**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING AN AGREEMENT WITH THE CITY OF BINGHAMTON FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2016**

WHEREAS, the Director of Public Health requests authorization for an agreement with the City of Binghamton for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$2,638 for the period June 20, 2016 through September 30, 2016, and

WHEREAS, said agreement is necessary to perform duties associated with improving the built environment in the City of Binghamton, mentoring other municipalities to encourage increased and sustained physical activity opportunities through the activities of the Creating Healthy Schools and Communities Grant, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the City of Binghamton, 38 Hawley Street, Binghamton, New York 13901 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period June 20, 2016 through September 30, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$2,638 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510510 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 249**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH CORNELL COOPERATIVE EXTENSION OF BROOME COUNTY FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2015-2016**

WHEREAS, this County Legislature, by Resolution 339 of 2015, authorized an agreement with Cornell Cooperative Extension of Broome County for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$6,000 for the period October 1, 2015 through September 30, 2016, and



WHEREAS, said agreement is necessary to increase access to healthy foods for at least 10% of the population in selected communities and to create a Regional Farmer's Market to serve as a foundation for a mini food hub, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$2,000 for additional resources and assistance to increase access to locally grown food and identify local food needs, and

WHEREAS, the Director of Public Health has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Cornell Cooperative Extension, 840 Front Street, Binghamton, New York 13905, to increase the not to exceed amount by \$2,000 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period October 1, 2105 through September 30, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$8,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510510 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 339 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 250**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH BROOME-TIOGA BOCES PROFESSIONAL DEVELOPMENT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2015-2016**

WHEREAS, this County Legislature, by Resolution 322 of 2015, authorized an agreement with Broome-Tioga BOCES Professional Development for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$6,000 for the period October 1, 2015 through September 30, 2016, and

WHEREAS, said agreement is necessary to provide trainings, and education that will assist schools with the assessment of their wellness policies, school environments, and with their School Health Index module that pertains to physical activity, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$4,862 for additional resources and materials for a series of professional development workshops focusing on increased physical activity throughout the school day, and

WHEREAS, the Director of Public Health has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Broome-Tioga BOCES Professional Development, 435 Glenwood Road, Binghamton, New York 13905, to increase the not to exceed amount by \$4,862 for services related to the Department of Health's Creating Healthy Schools and Communities Grant for the period October 1, 2105 through September 30, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$10,862, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010004.6004146.2510510 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 322 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 251**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE JOHNSON CITY CENTRAL SCHOOL DISTRICT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2015-2016**

WHEREAS, this County Legislature, by Resolution 325 of 2015, authorized an agreement with the Johnson City Central School District for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$4,000 for the period October 1, 2015 through September 30, 2016, and

WHEREAS, said agreement is necessary to create school district policies or administrative regulations to increase physical activity before, during or after the school day for students, teachers, staff and community members and to establish a school environment that supports and promotes healthful eating, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$4,000 for additional resources and technical assistance to support the district with the initial assessments and implementation of the grant deliverables, and

WHEREAS, the Director of Public Health has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Johnson City Central School District, 666 Reynolds Road, Johnson City, New York 13790 to increase the not to exceed amount by \$4,000 for additional resources and technical assistance to support the district with the initial assessments and implementation of the Creating Healthy Schools and Communities Grant for the Department of Health for the period October 1, 2015 through September 30, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$8,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010001.6004146.2510510 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 325 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 252**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE DEPOSIT CENTRAL SCHOOL DISTRICT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2015-2016**

WHEREAS, this County Legislature, by Resolution 321 of 2015, authorized an agreement with the Deposit Central School District for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$4,000 for the period October 1, 2015 through September 30, 2016, and

WHEREAS, said agreement is necessary to create school district policies or administrative regulations to increase physical activity before, during or after the school day for students, teachers,

staff and community members and to establish a school environment that supports and promotes healthful eating, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$4,000 for additional resources and technical assistance to support the district with the initial assessments and implementation of the grant deliverables, and

WHEREAS, the Director of Public Health has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with the Deposit Central School District, 171 Second Street, Deposit, New York 13754 to increase the not to exceed amount by \$4,000 for additional resources and technical assistance to support the district with the initial assessments and implementation of the Creating Healthy Schools and Communities Grant for the Department of Health for the period October 1, 2015 through September 30, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$8,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010001.6004146.2510510 (Subcontracted Program Expense), and be it

FURTHER RESOLVED, that Resolution 321 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 253**

By Health & Human Services and Finance Committees Seconded by Mr. Baker  
**RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH THE BINGHAMTON CITY SCHOOL DISTRICT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S CREATING HEALTHY SCHOOLS AND COMMUNITIES GRANT FOR 2015-2016**

WHEREAS, this County Legislature, by Resolution 319 of 2015, authorized an agreement with the Binghamton City School District for services related to the Department of Health's Creating Healthy Schools and Communities Grant at a cost not to exceed \$4,000 for the period October 1, 2015 through September 30, 2016, and

WHEREAS, said agreement is necessary to create school district policies or administrative regulations to increase physical activity before, during or after the school day for students, teachers, staff and community members and to establish a school environment that supports and promotes healthful eating, and

WHEREAS, it is necessary to authorize the amendment of said agreement to increase the not to exceed amount by \$4,000 for additional resources and technical assistance to support the district with the initial assessments and implementation of the grant deliverables, and

WHEREAS, the Director of Public Health has requested authorization for said amendments as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with Binghamton City School District, 164 Hawley Street, Binghamton, New York 13901 to increase the not to exceed amount by \$4,000 for additional resources and technical assistance to support the district with the initial assessments and implementation of the Creating Healthy Schools and Communities Grant for the Department of Health for the period October 1, 2015 through September 30, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor \$8,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25010001.6004146.2510510 (Subcontracted Program Expense), and be it



adopted a program budget in the amount of \$53,214 for the period August 1, 2015 through July 31, 2016, and

WHEREAS, said program reviews child fatalities under age 18 and identifies ways to prevent these deaths, and

WHEREAS, it is desired to renew said program grant in the amount of \$53,214 for the period August 1, 2016 through July 31, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$53,214 from the New York State Office of Children and Family Services, 52 Washington Street, Rensselaer, New York 12144 for the Department of Health's Child Fatality Review Team Program Grant for the period August 1, 2016 through July 31, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$53,214, and be it

FURTHER RESOLVED, that this County Legislature hereby authorizes the Department of Health to accept and allocate additional Child Fatality Review Team Program funds for the period August 1, 2016 through July 31, 2017 provided there is no increase in employee head count and the County's financial contribution is not increased, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 256**

By Health and Human Services Committee

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING MEMORANDUMS OF UNDERSTANDING WITH THE CITY OF BINGHAMTON AND VARIOUS TOWNS AND VILLAGES IN BROOME COUNTY FOR INFORMATION RELATED TO THE DEPARTMENT OF HEALTH'S LEAD POISONING PREVENTION PROGRAMS**

WHEREAS, the Director of Public Health requests authorization to establish a collaborative partnership to share information regarding vacant properties with positively identified lead paint hazards in an effort to successfully manage each programs' responsibilities to the public, and

WHEREAS, the Director of Public Health requests authorization for Memorandums of Understanding with the City of Binghamton, the Towns of Binghamton, Chenango, Colesville, Conklin, Dickinson, Fenton, Kirkwood, Lisle, Maine, Sanford, Triangle, Union, Vestal and Windsor and the Villages of Deposit, Endicott, Port Dickinson, Whitney Point and Windsor, to share each month a list of vacant properties located within the jurisdiction with the Building and Code Offices now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes Memorandums of Understanding with the City of Binghamton, the Towns of Binghamton, Chenango, Colesville, Conklin, Dickinson, Fenton, Kirkwood, Lisle, Maine, Sanford, Triangle, Union, Vestal and Windsor and the Villages of Deposit, Endicott, Port Dickinson, Whitney Point and Windsor, to share each month a list of vacant properties located within the jurisdiction with the Building and Code Offices, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 257**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING RENEWAL OF DSS/BU CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2016-2017**

WHEREAS, this County Legislature, by Resolution 269 of 2015, authorized and approved renewal of the DSS/BU Credit and Non-Credit Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$30,000 for the period August 1, 2015 through July 31, 2016, and

WHEREAS, said program grant provides employees educational opportunities and workshops geared toward enhancing their skills on the job and in preparing them for promotional opportunities within the Department, and

WHEREAS, it is desired to renew said program grant in the amount of \$35,000 for the period August 1, 2016 through July 31, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$31,500 from New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, New York, 12144 for the DSS/BU Credit and Non-Credit Training Program Grant for the period August 1, 2016 through July 31, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$35,000, which includes a 10% County match of \$3,500, and authorizes the Commissioner of Social Services to transfer funds between the Binghamton University and Broome Community College employee training contracts without further legislative approval as long as the total amount does not exceed \$87,500, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 258**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING RENEWAL OF DSS/BCC CREDIT AND NON-CREDIT TRAINING PROGRAM GRANT FOR THE DEPARTMENT OF SOCIAL SERVICES AND ADOPTING A PROGRAM BUDGET FOR 2016-2017**

WHEREAS, this County Legislature, by Resolution 270 of 2015, authorized and approved renewal of the DSS/BCC Credit and Non-Credit Training Program Grant for the Department of Social Services and adopted a program budget in the amount of \$52,500 for the period August 1, 2015 through July 31, 2016, and

WHEREAS, said program grant provides employees educational opportunities and workshops geared toward enhancing their skills on the job and in preparing them for promotional opportunities within the Department, and

WHEREAS, it is desired to renew said program grant in the amount of \$52,500 for the period August 1, 2016 through July 31, 2017, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$52,500 from New York State Office of Children and Family Services, Capital View Office Park, 52 Washington Street, Rensselaer, New York, 12144 for the DSS/BCC Credit and Non-Credit Training Program Grant for the period August 1, 2016 through July 31, 2017, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$52,500 and authorizes the Commissioner of Social Services to transfer funds between the Binghamton University and Broome Community College employee training contracts without further legislative approval as long as the total amount does not exceed \$87,500, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 259**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING ACCEPTANCE OF THE ADVANCED TRAINING INITIATIVE PROGRAM GRANT FOR THE WILLOW POINT NURSING HOME AND ADOPTING A PROGRAM BUDGET FOR 2016-2021**

WHEREAS, the Administrator of the Willow Point Nursing Home requests authorization to accept the Advanced Training Initiative Program Grant for the Willow Point Nursing Home and adopt a program budget in the amount of \$289,390 for the period March 1, 2016 through February 28, 2021, and

WHEREAS, said program grant is aimed at teaching staff to detect early changes in a resident's physical and mental or functional status that could lead to an avoidable hospitalization, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes and approves acceptance of \$289,390 from the New York State Department of Health, Empire State Plaza, Corning Tower, Albany, New York 12237, for the Willow Point Nursing Home's Advance Training Initiative Program Grant for the period March 1, 2016 through February 28, 2021, and be it

FURTHER RESOLVED, that this County Legislature hereby approves and adopts the program budget annexed hereto as Exhibit "A" in the total amount of \$289,390, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered (with the approval of the grantor agency) to reduce the time period of the grant provided there is no change in the grant budget or extend the terms of the grant agreement for the purpose of expending any unexpended grant funds, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative (including the Director of Management and Budget and/or Comptroller) is hereby authorized to make any transfers of funds required within this grant budget provided that employee head count is not increased, the County's contribution is not increased, and the salary rate or salary total for a position is not changed.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 260**

By Personnel Committee

Seconded by Mr. Baker

#### **ADOPTING A STANDARD WORK DAY AND REPORTING RESOLUTION AS REQUIRED BY THE STATE OF NEW YORK**

WHEREAS, effective August 12, 2009, the New York State Comptroller has issued Regulation 2 NYCRR 315.4 which modifies the reporting requirements for elected and appointed officials who are members of the New York State Retirement System, now, therefore, be it

RESOLVED, that the County of Broome, Location Code 10003 hereby establishes the following as standard work days for elected and appointed officials, attached as Exhibit "A" and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records or the record of activities maintained and submitted by the officials to the Clerk of this body.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 261**

By Personnel, Public Works & Transportation and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR THE BINGHAMTON METROPOLITAN TRANSPORTATION STUDY**

RESOLVED, that in accordance with a request contained in PCR# 16-178 from the Director of the Binghamton Metropolitan Transportation Study, this County Legislature hereby changes the position of Account Clerk, Grade 7, Union Code 08 CSEA Part-time, minimum hourly rate \$11.9799, 19.75 hours weekly, budget line 37000007.6001001.3710086.1011 to Senior Account Clerk, Grade 9, Union Code 08 CSEA Part-time, minimum hourly rate \$13.2002, 19.75 hours weekly, budget line 37000007.6001001.3710086.1011 effective August 1, 2016.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 262**

By Public Works & Transportation and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING RENEWAL OF THE AGREEMENT WITH THE TOWN OF CHENANGO FOR TREATMENT OF LEACHATE FROM THE BROOME COUNTY LANDFILL FOR THE DEPARTMENT OF PUBLIC WORKS DIVISION OF SOLID WASTE MANAGEMENT FOR 2016-2018**

WHEREAS, this County Legislature, by Resolution 232 of 2014, authorized renewal of the agreement with the Town of Chenango for treatment of effluent from the County leachate treatment facility at the Broome County Landfill at the rate of \$13 per 1,000 gallons of leachate, annual cost not to exceed \$50,000, total amount not to exceed \$100,000 for the Department of Public Works Division of Solid Waste Management for the period July 5, 2014 through July 4, 2016, and

WHEREAS, said agreement is necessary to dispose of effluent from the County leachate treatment facility at an approved wastewater treatment plant, and

WHEREAS, said agreement expires by its terms on July 4, 2016, and it is desired at this time to renew said agreement on substantially similar terms and conditions, at the rate of \$13 per 1,000 gallons of leachate, annual cost not to exceed \$50,000, total amount not to exceed \$100,000 for the period July 5, 2016 through July 4, 2018, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes the renewal of the agreement with the Town of Chenango, 1529 NYS Route 12, Binghamton, New York 13901, for treatment of effluent from the County leachate treatment facility at the Broome County Landfill for the Department





WHEREAS, said agreement is necessary to provide transportation on set routes within the urbanized core of Broome County to students, faculty and staff at SUNY Broome Community College with a valid BCC ID, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with SUNY Broome Community College (BCC), 907 Front Street, Binghamton, New York 13905, for transportation provided by BC Transit for the period August 15, 2016 through August 14, 2019, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County \$375,000 for the period August 15, 2016 through August 14, 2019, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 31010105.500246.2040 (SUNY Broome Fares), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 265**

By Personnel, Health & Human Services and Finance Committees      Seconded by Mr. Baker  
**RESOLUTION AUTHORIZING A PERSONNEL CHANGE REQUEST FOR THE OFFICE FOR AGING**

RESOLVED, that in accordance with a request contained in PCR# 16-180 from the Director of the Office for Aging, this County Legislature hereby creates the position of Secretary, Grade 13, Union Code 04 CSEA Full-time, minimum hourly rate \$16.0969, 37.5 hours weekly, budget line 34010006.6001000.1010 effective August 1, 2016.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 266**

By Health & Human Services and Finance Committees      Seconded by Mr. Baker  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH CHENANGO VALLEY CENTRAL SCHOOL DISTRICT FOR SERVICES RELATED TO THE DEPARTMENT OF HEALTH'S PRESCHOOL SPECIAL EDUCATION PROGRAM FOR 2016-2018**

WHEREAS, the Director of Public Health requests authorization for an agreement with Chenango Valley Central School District for services related to the Department of Health's Preschool Special Education Program at rates according to the New York State Education Department listed on Exhibit "B" for the period August 1, 2016 through June 30, 2018, and

WHEREAS, said agreement is necessary to provide related services including 1:1 aide for Chenango Valley students enrolled in the Preschool Special Education Program, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Chenango Valley Central School District, 221 Chenango Bridge Road, Binghamton, New York 13901 for services related to the Department of Health's Preschool Special Education Program for the period August 1, 2016 through June 30, 2018, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor at rates according to the New York State Education Department listed on Exhibit "B" for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 25060004.6004405 (Rehabilitation and Therapy Services), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 267**

By Public Safety & Emergency Services and Finance Committees                      Seconded by Mr. Baker  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH MASSACHUSETTS GENERAL HOSPITAL THINK:KIDS FOR PROFESSIONAL SERVICES FOR THE DEPARTMENT OF PROBATION FOR 2016**

WHEREAS, the Director of Probation requests authorization for an agreement with Massachusetts General Hospital Think:Kids for professional services for the Department of Probation at a cost not to exceed \$46,550 for the period January 1, 2016 through September 30, 2016, and

WHEREAS, said services are necessary to provide consulting services to educate and train staff regarding the use of Collaborative Problem Solving to better understand and help challenging adolescents and their families, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with Massachusetts General Hospital Think:Kids, Massachusetts General Physicians Organization, Inc., P.O. Box 3662, Boston, Massachusetts 02241 for professional services for the Department of Probation for the period January 1, 2016 through September 30, 2016, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractor an amount not to exceed \$46,550 for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 21010003.6004254.2110070 (Contracted Training), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 268**

By Public Works & Transportation and Finance Committees                      Seconded by Mr. Baker  
**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE DEPARTMENT OF HOMELAND SECURITY TRANSPORTATION SECURITY ADMINISTRATION (TSA) FOR USE OF SPACE AND COST REIMBURSEMENT AT TSA SECURITY CHECKPOINTS AND BAGGAGE AREAS AT THE GREATER BINGHAMTON AIRPORT FOR 2016-2017**

WHEREAS, the Commissioner of Aviation requests authorization for an agreement with the Department of Homeland Security Transportation Security Administration (TSA) for use of space and cost reimbursement at TSA Security Checkpoints and Baggage Areas at the Greater Binghamton Airport, with estimated electrical and janitorial costs in the amount of \$6,599 reimbursed to the County, for the period July 1, 2016 through June 30, 2017, and

WHEREAS, said agreement is necessary for the TSA to deploy federal security screeners, Federal Security Managers, federal security personnel and federal law enforcement officers to conduct screening of all passengers, property, and baggage at the Greater Binghamton Airport, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an agreement with the Department of Homeland Security Transportation Security Administration, USCG Finance Center, P.O. Box 4111, Chesapeake, Virginia 23327-4111 for use of space and cost reimbursement at TSA Security Checkpoints and Baggage Areas at the Greater Binghamton Airport for the period July 1, 2016 through June 30, 2017, and be it

FURTHER RESOLVED, that in consideration of said services, the Contractor shall pay the County estimated electrical and janitorial costs in the amount of \$6,599 for the term of the agreement, and be it

FURTHER RESOLVED, that the revenue hereinabove authorized shall be credited to budget line 28150005.5000137 (Space Rental-Other), and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to

form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 269**

By Public Safety and Emergency Services Committee Seconded by Mr. Baker  
**RESOLUTION AUTHORIZING A MEMORANDUM OF AGREEMENT BETWEEN THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND BROOME COUNTY EMERGENCY SERVICES FOR THE USE OF THE INTEGRATED PUBLIC ALERT AND WARNING SYSTEM**

WHEREAS, the Director of Emergency Services requests authorization for a Memorandum of Agreement with the Federal Emergency Management Agency for the use of the Integrated Public Alert and Warning System (IPAWS), and

WHEREAS, said agreement is necessary to enable information interoperability across emergency response organizations and systems as intended by the IPAWS Initiative, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes a Memorandum of Agreement, by and between the Federal Emergency Management Agency and the Broome County Office of Emergency Services for the use of the Integrated Public Alert And Warning System,

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 270**

By Finance and Public Works & Transportation Committees Seconded by Mrs. Myers  
**RESOLUTION AMENDING THE 2016 CAPITAL IMPROVEMENT PROGRAM PUBLIC SAFETY ELECTRIC PROJECT**

RESOLVED, that the 2016 Capital Improvement Program is hereby created as follows:

ADD:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>	
			<u>State</u>	<u>Other</u>			
1520067	Public Safety Electric	\$200,000	\$0	\$0		\$200,000	
			<u>Local Finance Law Section 11</u>			<u>How Financed:</u>	
			<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
			2016	10	13	\$200,000	\$0

and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to make a short term, non-interest bearing loan from the General Fund and/or the Enterprise Fund to provide sufficient cash to proceed, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget and Comptroller are hereby authorized to process any paperwork necessary to implement the intent of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 271**

By Finance and Public Works & Transportation Committees Seconded by Mr. Pasquale  
**RESOLUTION AMENDING THE 2016 CAPITAL IMPROVEMENT PROGRAM SYSTEMATIC ROOF REPAIRS PROJECT**

RESOLVED, that the 2016 Capital Improvement Program is hereby amended as follows:

FROM:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Other</u>		
1520066	Systematic Roof Repairs	\$350,000	\$0	\$0		\$350,000
		<u>Local Finance Law Section 11</u>				<u>How Financed:</u>
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2016	15	12(a)(2)	\$350,00	\$0

TO:

<u>Code</u>	<u>Project Name</u>	<u>Total</u>	<u>Estimated Construction Cost:</u>			<u>County</u>
			<u>State</u>	<u>Other</u>		
1520066	Systematic Roof Repairs	\$450,000	\$0	\$0		\$450,000
		<u>Local Finance Law Section 11</u>				<u>How Financed:</u>
		<u>Year Start</u>	<u>YPU</u>	<u>LFL</u>	<u>Bond</u>	<u>Current Revenue</u>
		2016	15	12(a)(2)	\$450,000	\$0

and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to make a short term, non-interest bearing loan from the General Fund and/or the Enterprise Fund to provide sufficient cash to proceed, and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget and Comptroller are hereby authorized to process any paperwork necessary to implement the intent of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

**RESOLUTION NO. 272**

By County Administration and Public Safety & Emergency Services Committees

Seconded by Mr. Baker

**RESOLUTION URGING GOVERNOR ANDREW CUOMO TO SIGN THE PUBLIC DEFENSE MANDATE RELIEF ACT (S.8114/A.10706) INTO LAW**

WHEREAS, it is a fundamental right of all persons in the United States to be represented by counsel in all criminal prosecutions; and in the case of Gideon vs. Wainwright, 372 U.S. 335, the United States Supreme Court ruled that persons who were unable to afford counsel had a constitutional right to be defended by an appointed attorney paid by the State, and

WHEREAS, New York State Senate and Assembly have passed historic legislation entitled the Public Defense Mandate Relief Act (S.8114/A.10706) which will require New York State to reimburse counties for expenditures made fulfilling the state's obligation to provide representation for those financially unable to afford counsel commencing incrementally in 2017 and reaching 100% in 2023 and thereafter, and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) will give the Indigent Legal Service Office the authority "to adopt, promulgate, amend or rescind rules and regulations to carry out the provisions of [Executive Law 832], including to (i) ensure the presence of counsel at the first appearance of any eligible defendant charged with a crime, (ii) establish caseload/workload regulations for attorneys providing mandated representation, and (iii) improve the quality of mandated representation", and

WHEREAS, the Public Defense Mandate Relief Act (S.8114/A.10706) also requires that the various counties and New York City receive an amount equal to the amount paid from the Indigent Legal Services Fund to the counties and NYC in March 2010, and

WHEREAS, New York State has entered into an agreement to settle the Hurrell-Harring vs. State of New York class action lawsuit and has begun to expend substantial amounts of State funds

to create a more equitable and Constitutional system of representation in only the five settlement counties and creating an unequal system of justice in the remaining counties of the State, and

WHEREAS, by entering into such agreement and funding additional services in only the five settlement counties, the State acknowledges that it is constitutionally required to fund public defense services and to fund Initiatives to improve the quality of public defense, ensure representation at arraignment, implement caseload standards for providers of indigent legal services, and implement statewide standards for determining eligibility for mandated representation, and

WHEREAS, requiring counties to finance the State's obligation to provide public defense services imposes a significant uncontrollable financial burden on counties dependent on real property taxes to fund needed services and subject to a State-imposed tax cap that would be remedied under the Public Defense Mandate Relief Act (S.8114/A.10706) as passed by the New York State Senate and Assembly, now, therefore, be it

RESOLVED, that the Broome County Legislature hereby strongly urges Governor Cuomo to sign the Public Defense Mandate Relief Act (S.8114/A.10706) when it is delivered to him, fulfilling the State's obligation under Gideon vs. Wainwright, 372 U.S. 335, relieving the taxpayers of Broome County and the other counties of the State and New York City to fund this State mandate, and be it

FURTHER RESOLVED, that the Clerk of the Legislature shall forward a certified copy of the resolution to Governor Andrew M. Cuomo, Senate Majority Leader John J. Flanagan, Assembly Speaker Carl E. Heastie, Senator Frederick J. Akshar II, Assemblyman Clifford W. Crouch, Assemblyman Christopher S. Friend, Assemblywoman Donna A. Lupardo, the New York State Office of Indigent Legal Services (ILS), the New York State Defenders Association (NYSDA), the New York Civil Liberties Union (NYCLU), the Chief Defenders Association of New York (CDANY), and the New York State Association of Counties (NYSAC).

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

### **RESOLUTION NO. 273**

By Health & Human Services and Finance Committees

Seconded by Mr. Baker

#### **RESOLUTION AUTHORIZING AMENDMENT TO THE AGREEMENT WITH VARIOUS VENDORS FOR TEMPORARY STAFFING SERVICES AT THE WILLOW POINT NURSING HOME FOR 2015-2016**

WHEREAS, this County Legislature, by Resolution 195 of 2015, as amended by Resolutions 287 and 501 of 2015, authorized an agreement with various vendors for temporary staffing services for the Willow Point Nursing Home at an aggregate cost not to exceed \$525,000 for the period June 1, 2015 through December 31, 2016, and

WHEREAS, said agreements are necessary to provide appropriate staffing to cover the residents of the Willow Point Nursing Home's needs, and

WHEREAS, it is necessary to authorize the amendment of said agreements to increase the aggregate not to exceed amount by \$200,000, and

WHEREAS, the Administrator of the Willow Point Nursing Home has requested authorization for said amendment as approved by the Department of Law, now, therefore, be it

RESOLVED, that this County Legislature hereby authorizes an amendment to the agreement with various vendors, attached as Exhibit "A" to increase the aggregate not to exceed amount by \$200,000, and be it

FURTHER RESOLVED, that in consideration of said services, the County shall pay the Contractors an aggregate amount not to exceed \$725,000, for the term of the agreement, and be it

FURTHER RESOLVED, that the payments hereinabove authorized shall be made from budget line 27060304.6004410.2050 (Nursing Services), and be it

FURTHER RESOLVED, that the Director of the Office of Management and Budget is hereby authorized to make a transfer in the 2016 accounts as follows:

From: 27060304.6008007.2050      \$200,000  
To: 27060304.6004410.2050      \$200,000

and be it

FURTHER RESOLVED, that Resolutions 195, 287 and 501 of 2015, to the extent consistent herewith, shall remain in full force and effect, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby empowered to execute any such agreements, documents, or papers, approved as to form by the Department of Law, as may be necessary to implement the intent and purpose of this Resolution.

**Carried.** Ayes-14, Nays-0, Absent-1 (Whalen)

#### **RESOLUTION NO. 274**

By Finance Committee

Seconded by Mr. Flagg

#### **RESOLUTION APPROVING THE SALE OF COUNTY-OWNED REAL PROPERTY IN THE CITY OF BINGHAMTON**

WHEREAS, the County of Broome now owns real property, Tax Map #143.75-1-16, 16 Emma Street in the City of Binghamton, and

WHEREAS, in conformity with the procedures established by this County Legislature and in accordance with all applicable laws, the Director of Real Property Tax Services requests authorization to sell Tax Map #143.75-1-16, 16 Emma Street in the City of Binghamton for \$389,000 to Tri-Cities Industrial Center LLC, 6 Emma Street, Binghamton, New York 13905, now, therefore, be it,

RESOLVED, that this County Legislature hereby authorizes the sale of County-owned real property, Tax Map #143.75-1-16, 16 Emma Street in the City of Binghamton for \$389,000 to Tri-Cities Industrial Center LLC, 6 Emma Street, Binghamton, New York 13905, and be it

FURTHER RESOLVED, that the revenue hereinabove referenced shall be credited to budget line 17000001.50000002.1010 (Gain on Sale), and be it

FURTHER RESOLVED, that a commission of 6% is to be paid to Cushman & Wakefield, a/k/a Pyramid Brokerage Co., 84 Court Street, Suite 300, Binghamton, New York 13901, and be it

FURTHER RESOLVED, that the County Executive or her duly authorized representative is hereby authorized to execute quit claim deeds, approved as to form by the Department of Law, conveying the properties listed above to the new owners, together with other such documents as may be necessary to implement the intent of this Resolution.

**Heldover** by Mr. Flagg.

#### **RESOLUTION NO. 275**

By Mrs. Myers

Seconded by Mrs. Myers

#### **RESOLUTION GRANTING A WAIVER OF RESIDENCY FOR DEPUTY SHERIFF SERGEANT SAMMY L. DAVIS**

WHEREAS, this County Legislature, by Resolution 82 of 1989, as amended by Resolutions 510 of 1999, 570 of 2006 and 77 of 2011, adopted residency requirements for Broome County officers and employees, and

WHEREAS, said Resolutions provide for waivers of the residency requirement upon unique situations, and

WHEREAS, Sammy L. Davis requests that the residency requirement be waived in order to allow him to reside in Tioga County, and

WHEREAS, the Sheriff believes that a unique situation exists and requests that the residency requirement for Mr. Davis be waived, now, therefore, be it

RESOLVED, that this County Legislature hereby exempts and waives the certificate of residency for Sammy L. Davis, and the residency requirement of Resolution 82 of 1989, as amended by Resolutions 510 of 1999, 570 of 2006 and 77 of 2011 in order that Mr. Davis may continue to work in the Office of the Broome County Sheriff as a Deputy Sheriff Sergeant, and be it

FURTHER RESOLVED, that this exemption and waiver shall be effective immediately and shall continue as long as Mr. Davis holds the position of Deputy Sheriff.

Mr. Shaw made a motion, seconded by Mr. Flagg to Call the Question. **Carried.** Ayes-11, Nays-3, (Kaminsky, Baldwin, Myers), Absent-1 (Whalen)

**Failed.** Ayes-3, Nays-11 (Keibel, Shaw, O'Brien, Heebner, Pasquale, Flagg, Sopchak, Wildoner, Bernhardsen, Baker, Reynolds), Absent-1 (Whalen)

Mrs. Kaminsky and Mrs. Myers expressed their disappointment in how the residency waiver resolution was handled. Mr. Heebner cited the criteria necessary in order to grant a residency waiver, none of which applied to the resolution that was before them.

Mr. Bernhardsen made a motion to adjourn, seconded by Mrs. Myers. **Motion to adjourn carried.** Ayes-14, Nays-0, Absent-1 (Whalen). The meeting was adjourned at 5:30 p.m.